

IN THE MATTER OF
THE APPLICATION OF
JOAN A. KING, PASTOR

* BEFORE THE
* HOWARD COUNTY

FOR A CERTIFICATE OF APPROVAL
FOR EXTERIOR ALTERATIONS
AT 8411 MAIN STREET
ELLCOTT CITY, MARYLAND

* HISTORIC PRESERVATION
* COMMISSION
* Case No. 17-73

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DECISION AND ORDER

Pursuant to Title 16, Subtitle 6, of the Howard County Code, notice having been properly published, the Historic Preservation Commission (“Commission”) convened a public hearing on October 5, 2017 to hear and consider the application of Joan A. King, Pastor (“Applicant”), for a Certificate of Approval for exterior alterations at 8411 Main Street, Ellicott City, Maryland (the “Subject Property”). The Commission members present were Eileen Tennor, Allan Shad, Drew Roth, Bruno Reich, and Erica Zoren. The following documents, incorporated into the record by reference, are applicable to this case: (1) the appropriate provisions of the Howard County Charter and the Howard County Code, including the Howard County Zoning Regulations; (2) the General Plan for Howard County; (3) the application for a Certificate of Approval and associated records on file with the Commission; (4) the Agenda for the October 5, 2017 Commission meeting; (5) the Ellicott City Historic District Design Guidelines, May, 1998 (the “Design Guidelines” or “Guidelines”); and (6) the general design guidelines listed in Rule 107 of the Commission’s Rules of Procedure.

Summary of Testimony

Ms. Samantha Holmes, Staff to the Commission, presented the application, identifying the work proposed by the Applicant for which approval is requested, and the Staff's recommendation and the basis for the recommendation. Copies of Staff's recommendation and the application were provided to each Commission member and reviewed with the Commission by Ms. Holmes. The Applicant and others testified in support of the application.

Findings of Fact

Based upon the evidence, the Commission makes the following findings of fact:

A. The Subject Property

This property is located in the Ellicott City Historic District. SDAT does not have a date of construction for this building, but the church website dates the structure to circa 1896 and the church appears on the 1899 Sanborn maps.

B. Proposed Improvements

The Applicant proposes to make the following repairs and alterations:

- 1) Paint the building white to match the existing color.
- 2) Replace broken asbestos siding shingles with GAF Weatherside Purity Wavy, a fiber cement shingle that looks like asbestos.
- 3) Replace the exterior doors, which are wood interior doors that have been used as exterior doors, with a steel or fiberglass exterior door with a brown oak wood grain.

C. Staff Report

The painting of the siding the same color to match is considered Routine Maintenance, per Chapter 6.N, which states that Routine Maintenance is "painting previously painted

surfaces using the same color as the existing paint.” The building is currently sided in asbestos shingle, which is a product that is no longer available. The GAF Weatherside shingle is a fiber cement product that matches the old asbestos shingles and the replacement of broken shingles with this product would be considered Routine Maintenance, per Chapter 5, “repair or replacement of roofs, gutters, siding, external doors and windows, trim, lights and other appurtenant fixtures using the same materials and design.”

Chapter 6.G of the Guidelines provides recommendations on entrances and doors and recommends, “replace inappropriate modern doors with doors of an appropriate style. If documentary evidence of the original door is available, choose a new door similar to the original. Otherwise, use a door appropriate to the period and style of the building.” The front door/main entrance of the building is located around the side and does not front Main Street. The side door is located along Main Street. The building is set back from the street, so the side door is not highly visible and the front door is minimally visible. Chapter 6.G of the Guidelines states, “when a new door is needed, it should reflect the character of the original door. Simple paneled doors of wood or wood and glass are usually best, but metal doors with an appropriate style and finish can convey a similar appearance. Painted or enameled metal doors are best; shiny or mill finish metal should be avoided.” A metal or fiberglass door with oak wood grain is unlikely to reflect the visual character, style and finish of an historically appropriate door. Staff finds a wood door on each entrance would be the most appropriate, since the side door faces Main Street and the door on the gable end of the church is actually the front door and main entrance for parishioners.

D. Staff Recommendation

Staff recommends Approval of replacing the exterior doors on the condition that paneled wood doors be used at both entrances.

E. Testimony

Ms. Holmes noted the Staff Recommendation in the Staff report left out a recommendation for Items 1 and 2 and amended the Staff recommendation to recommend approval of these items. Mr. Taylor noted Items 1 and 2 are routine maintenance. Mr. Shad swore in Joan A. King, Pastor and Harry Hawkes, Trustee of the Church. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Mr. Hawkes said the door color will be painted to match the existing door but he prefers a steel door because wooden doors warp, lack energy efficiency, and are less durable.

Ms. Tennor asked why the Staff report indicated the doors to be replaced are interior grade rather than exterior. Ms. Holmes said the application indicated interior grade doors were used as exterior doors. Ms. Tennor asked the Applicant why they feel an exterior grade wooden door would not be durable compared to the existing interior grade wood doors installed on the exterior. Mr. Hawkes said he has not experienced the durability of a wood exterior grade door compared to a steel door. Ms. Holmes said steel doors can shrink in the winter.

Mr. Hawkes said wooden doors can expand/shrink depending on seasonal weather even with weather stripping. Ms. Zoren said interior grade wooden doors are not solid wood. They are usually comprised of fillers and not made for the same durability and weather proofing. A solid wooden door will last a long time. There are many exterior wooden doors on Main Street that are a hundred years old. Mr. Reich said interior grade wood doors are not

sealed the same compared to an exterior grade door, which is why the Applicant experienced shrinkage and expansion during different seasons. Mr. Reich said a maintained, solid wood commercial grade door will last a lifetime.

Mr. Reich said the church has a focal presence on Main Street with beautiful historic architecture. The Commission would like to see wood doors that look like they were part of the original construction.

Ms. Tennor said she has wood exterior doors and they have lasted 35 years already. Ms. Zoren asked if Staff could consider approving salvaged doors from another church that can be used. Ms. Holmes said that could be possible. Mr. Reich said the Applicant can go to a company like the John S. Wilson Lumber Company, who can custom make doors that may be more cost effective.

Mr. Shad asked if anyone from the public would like to testify. Mr. Shad swore in Fred Dorsey. Mr. Dorsey, President of Preservation Howard County said he has been working with Pastor King for three years in search of funding to do the repair work. Ms. Tennor asked about the timeframe of the work. Mr. Hawkes wants to finish the work, especially the painting, before winter. Mr. Dorsey said the work may be phased to facilitate funding. For example, doing the doors first.

Mr. Reich asked if the Applicant is willing to amend the application to install wood exterior doors. Mr. Hawkes said yes. Ms. Holmes asked if the doors will be painted wood or stained wood. Ms. Tennor said the existing doors seem stained. Ms. Holmes asked if there are any historic photos of the door. Mr. Hawkes said no he does not have any historic photos showing the exterior doors. Ms. Holmes said when the Applicant is ready to paint the door, please contact Staff to discuss colors that are historically appropriate. Ms. Holmes can also

help contacting the State about changes in policy on the eligibility for facade improvement grants.

F. Motion

Mr. Roth moved to approve the application per Staff recommendations and Staff approval of the finished exterior wood doors. Ms. Tennor seconded. The motion was unanimously approved.

Conclusions Of Law

Based upon the foregoing Findings of Fact, the Commission concludes as follows:

A. Standards of Review

The standards for review of an application for a Certificate of Approval are set forth in Section 16.607 of the Howard County Code and require consideration of:

- (1) The historic, architectural, or archaeological value or significance of the structure and its relationship to the historic value of the surrounding area;
- (2) The relationship of the exterior architectural features of such structure to the remainder of the structure and to the surrounding area;
- (3) The general compatibility of exterior design, scale, proportion, arrangement, texture and materials proposed to be used; and
- (4) Any other factors, including aesthetic factors, which the Commission deems to be pertinent.

Section 16.607(c) of the Code further provides:

It is the intent of this subtitle that the Commission be strict in its judgment of plans for contributing structures. It is also the intent of this subtitle that the Commission shall be lenient in its judgment of plans for structures of little historic value or plans for new construction, except where such plans would seriously impair the historic or architectural value of surrounding structures or the surrounding area.

Section 16.607(d) authorizes the Commission to adopt guidelines for its review of applications based on the standards set forth in the Code. Pursuant to this authority, the Commission has adopted the Ellicott City Historic District Design Guidelines. Chapter 5

sets forth the relevant recommendations for Routine maintenance of existing buildings, as detailed in Findings of Fact, part C. Additionally, Chapter 6 sets forth the relevant recommendations for Rehabilitation and Maintenance of Existing Buildings, as detailed in the Findings of Fact, part C.

B. Application of Standards

Applying these standards and guidelines to the Subject Property, the Commission finds that it contributes to Ellicott City's historic significance. Consequently, in reviewing the application, the Commission will be strict in its judgment. The Commission finds that the Applicant's proposal would not impair the historic or architectural value of the surrounding area. The Commission finds that the proposal is consistent with the Guidelines. The evidence supports this conclusion.

The Applicant seeks approval for work on a historic church. Some of the work, including painting and replacement of siding, constitutes Routine Maintenance. In addition, the Applicant seeks to replace exterior doors. During the hearing, the Applicant amended the application to withdraw the request to use steel doors and instead requested approval of wood doors. Wood doors are the most appropriate type of door for buildings in the Historic District. The Guidelines note that "Historically, most Ellicott City doors were painted, paneled wood." This building would have been originally constructed with wood doors. Use of an appropriate style wood door, to be approved by Staff, would enhance the historic and architectural appearance of the historic church.

For these reasons, and for the reasons identified in the Staff Report, and the reasons stated by the Commission, the Commission concludes that the proposed work will not impair the historic and architectural value of the surrounding area. The application complies with the Guidelines and standards applicable to the Ellicott City Historic District.


ORDER AND CERTIFICATE OF APPROVAL

Based on the foregoing Findings of Fact and Conclusions of Law, by a vote of 5 to 0, it is this 2 day of November, 2017, **ORDERED**, that the Applicant's request for a Certificate of Approval for exterior alterations at the Subject Property, is **APPROVED, as amended**.

**HOWARD COUNTY HISTORIC
PRESERVATION COMMISSION**


Allan Shad, Chair


Bruno Reich


Drew Roth


Eileen Tennor


Erica Zoren

APPROVED for Form and Legal Sufficiency:

HOWARD COUNTY OFFICE OF LAW



Lewis Taylor
Assistant County Solicitor

ANY PERSON AGGRIEVED BY THIS DECISION AND ORDER/CERTIFICATE OF APPROVAL MAY APPEAL THE DECISION TO THE CIRCUIT COURT FOR HOWARD COUNTY WITHIN THIRTY DAYS OF THE DATE OF THE DECISION.

IN THE MATTER OF
THE APPLICATION OF
DAN ENGBRETSSEN

* BEFORE THE
* HOWARD COUNTY

FOR A CERTIFICATE OF APPROVAL
TO PERFORM EXTERIOR ALTERATIONS
AT 6162 LAWYERS HILL ROAD
ELKRIDGE, MARYLAND

* HISTORIC PRESERVATION
* COMMISSION
* Case No. 17-72

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DECISION AND ORDER

Pursuant to Title 16, Subtitle 6, of the Howard County Code, notice having been properly published, the Historic Preservation Commission (“Commission”) convened a public hearing on October 5, 2017 to hear and consider the application of Dan Engebretsen (“Applicant”), for Certificate of Approval to perform exterior alterations at 6162 Lawyers Hill Road, Elkridge, Maryland (the “Subject Property”). The Commission members present were Eileen Tennor, Allan Shad, Drew Roth, Bruno Reich, and Erica Zoren. The following documents, incorporated into the record by reference, are applicable to this case: (1) the appropriate provisions of the Howard County Charter and the Howard County Code, including the Howard County Zoning Regulations; (2) the General Plan for Howard County; (3) the application for a Certificate of Approval; (4) the Agenda for the October 5, 2017 Commission meeting; (5) the Lawyers Hill Historic District Design Guidelines, May, 1998 (the “Design Guidelines” or “Guidelines”); and (6) the general design guidelines listed in Rule 107 of the Commission’s Rules of Procedure.

Summary of Testimony

Ms. Samantha Holmes, Staff to the Commission, presented the application, identifying the work proposed by the Applicant for which approval is requested, and the

Staff's recommendation and the basis for the recommendation. Copies of Staff's recommendation and the application were provided to each Commission member. The Applicant testified in support of the application.

Findings of Fact

Based upon the evidence, the Commission makes the following findings of fact:

A. The Subject Property

This property is located in the Lawyers Hill Historic District. According to SDAT and the Historic Sites Inventory form, the structure dates to 1851.

B. Proposed Improvements

The Applicant proposes to make the following repairs/alterations:

- 1) Repair three chimneys – repair work to include repointing brick, cleaning brick, replacement of chimney caps and liners, and installation of chimney flues. The application states that bricks and mortar will be matched, but also states that bricks will not be replaced.
- 2) Installation of eight exterior storm windows – the application states that the storm windows will be custom made and match the window design of the original windows. The application shows a spec for a WeatherStar white aluminum storm window.
- 3) Repair/refinish the front door and repair the existing historic lock.
- 4) Replace the kitchen roof – the existing roof is a galvanized metal roof. The Applicant proposes to remove the existing roof, replace the roof decking as needed and install one inch foam board, install three skylights and appropriate flashing. An in-kind metal roof, Delta Rib, would be put back on.

- 5) Fill in old cistern – the cistern is located to the rear of the house and is in danger of collapse and needs to be filled in. The Applicant proposes to fill in the hole, level the yard and plant grass.

C. Staff Report

Chimneys

There are three chimneys that need to be repaired, and the proposed repairs comply with Chapter 6.D, which states, “The numerous corbelled or straight brick chimneys...are highly visible and characteristic features of Lawyers Hill’s historic buildings and should be preserved.” The application states that “bricks and mortar will be matched”, but also states that “bricks will not be replaced.” It is unclear if bricks will need to be replaced, so Staff recommends including replacement brick in the scope of work for tax credit pre-approval in the event that the mason determines any bricks need to be replaced. The application states that new brick and mortar will match, which is recommended in Chapter 6.D, “maintain or restore original brick, stone or concrete block construction. Make repairs with materials that match the original as closely as possible” and “use mortar mixes that are compatible with early brick and stone.”

Storm Windows

The description of the storm windows was confusing, as it stated the windows would match the design of the window pane configuration of the historic windows. This was confusing to Staff because matching the windows in this manner would hide the historic details and because some of the windows function as doors opening onto the porch. The Applicant provided the following explanation via email:

“The storm windows will be custom made and will have a small aluminum profile with a muntin support in the middle if the window is to open. They will be 1:1 compensation. The

side and top aluminum (Hopefully painted white frame) will fit into the corner of the trim and will not cover up the original windows. Each window has a lip trim where storm windows can be attached. Some storm window designs allow attachment of frame along side the window, but attaching to the house. Yes, you are correct regarding the window in the office. They are doors but we will not use them and will just design a full-length storm window. Our application states the new storm windows will match, meaning any muntins will line up with the same of the historical window's design or muntin.”

It is still not clear whether or not the storm windows would hide any of the trim or fit within the trim. Chapter 6.I of the Guidelines recommends, “consider installing interior rather than exterior storm windows, especially if the windows are significant contributors to the building’s architectural character” and recommends against “installing storm windows with vertical or horizontal divisions that conflict with sash divisions, or with borders wider than the frame of the primary window sash.” The existing storm windows, put on by a previous owner, are 1:1 but are placed over double casement windows so that the sash of the storm windows creates a horizontal division on a window that is otherwise characteristic in its vertical lines. The existing storm windows do not comply with the Guidelines. Staff recommends that new storm windows do not mimic the existing storm windows. A full light storm window would be acceptable on the porch doors, as there should not be any sashes that would hide the muntins on the doors.

Chapter 6.I recommends against, “installing storm windows that have mill finish aluminum frames or are finished in a color incompatible with the inner window sash and frame.” The windows are a maroon/brown color and a white storm window would alter the exterior appearance of the windows, by placing a white sash over part of the window, creating

a horizontal division that does not exist now. It is also unclear if the 1:1 storm window sash would meet where the existing window sashes meet, or if the window will more-so resemble the spec provided, where the sashes meet in the middle of the window.

Front Door Repair

The front door on this house is a pair of wood full light doors with a small panel at the bottom. The application states that the front door and the historic hardware will be repaired, which complies with Chapter 6.K recommendations on entrances, “Maintain and repair original doors, door frames, sidelights and transoms.” The Applicant also stated via email that the door may need to be replaced pending the opinion of the tradesman. The possible replacement of the door does need to be approved or it will not be eligible for tax credits. Chapter 6.K of the Guidelines considers the replacement of the doors and related features with materials to exactly match the original as Routine Maintenance.

Kitchen Roofing

Chapter 6.H of the Guidelines explains that, “original roof materials in Lawyers Hill include slate, standing seam metal, and wood shingles.” This house originally had wood shingles on the roof for the main portion of the house, but at some point in recent history, asphalt shingles were put on by a previous owner without HPC approval. The porch roof shows up as a black material in 2005, but changes to brown by 2006-2007. The addition on the rear of the house next to the kitchen addition appears to be a metal roof in 2006-2007, but becomes a brown roof by 2016-2017. Many of the roofs on this house have been altered over the years without approval.

The Applicant proposes to replace the kitchen roof, which is separate from the roof on the remainder of the house. The kitchen is located on the rear of the house, on the northwest

corner of the house. When initially looking at the exterior of the kitchen, Staff thought it was a modern addition. The Applicant then explained via email the following regarding the kitchen: "It is part of the historic building and was built in 1897 as the corner marker on the foundation says. The foundation is the same under the whole house. The kitchen has several historic features like old original windows, large brick cooking fire place and couple of original built in hutches. Half the walls in the kitchen are still the old tongue and groove plank wood 2" slats."

The Applicant provided interior photos of the kitchen, which do show older features. Based on these, it appears to the County Architectural Historian that the 1890s kitchen was enlarged, probably c. 1915-1935, by enclosing an 1890s porch and removing the original wall between the two. Thus, the existing kitchen should be considered an historic feature of the house. The current roofing material is a galvanized ribbed metal roof. This metal roof does not appear to be historic and appears to be an unapproved alteration by the previous owner. The installation method was incorrect and there are nail holes every few inches that have been tarred over. The spec sheet provided by the Applicant is for an in-kind replacement from an agricultural supply store. Staff finds the proposed ribbed metal roof is not historically appropriate for the historic kitchen addition.

Initially Staff thought the kitchen was in a modern addition and recommended the Applicant consider an EPDM roof for the slightly sloped /flat roof. However, since the addition is in fact historic, Staff recommends either a proper standing seam metal roof, or a similar flat seam metal roof, be used for the replacement. The roof may be too flat a pitch for standing seam, and this determination should be made by a qualified roofing contractor. The Commission has had several applications for standing seam metal roofs this year and has held all applicants to a high standard for a historically accurate standing seam roof with proper panel

width, seam height and color. Chapter 6.H of the Guidelines recommends, “when original roofing must be replaced, use material similar to the original or characteristic of the building’s period and style, particularly if the roof is visible from a public street or is a key element of the building’s style or character. Replacement with modern materials such as composition shingles may be approved if historically accurate roofing cannot reasonably be required for economic or other reasons.”

Additionally, the Applicant also proposes to install three skylights in this roof, which is a modern alteration. Chapter 6.H of the Guidelines recommends against “installing skylights on a primary elevation or in a location visible from a public road.” This elevation is not visible from a public road or located on a primary elevation, so it is an appropriate location.

Cistern

The application stated that the old plumbing used an approximately 20,000 gallon cistern in the back of the house and that the cistern is now in danger of collapse and needs to be filled in. The application states that filling in the hole will stabilize the foundation of the house. The Applicant emailed a photo to Staff, that shows the hole is located next to the rear foundation.

D. Staff Recommendation

Staff recommends Approval of the following:

- 1) Repair of the chimneys.
- 2) Installation of eight exterior storm windows, contingent upon the windows not covering historic window features.

- 3) Repair and refinishing of the front door and lock. If the door cannot be repaired, approval of a custom-made replacement wood door built to match the existing historic door in material and detail.
- 4) Replacement of the kitchen roof with a standing seam metal or flat seam metal roof.
- 5) Installation of skylights in the kitchen roof
- 6) Approval to fill in old cistern.

E. Testimony

Mr. Shad swore in Dan Engebretsen and Debbie Engebretsen. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Mr. Engebretsen agreed with the Staff recommendations and said a mason examined the roof and recommended some chimney bricks need replacement. Mr. Engebretsen said they want to keep the historic value of the house, which is why they bought it. He explained it is important for the windows to be energy efficient, while preserving the historic integrity of the house. He said they had an \$800 gas bill last winter, even with the mild months, so they need to keep the house energy efficient and balance historic preservation. Mr. Engebretsen said they are fine with Staff recommendations for the windows and recently came across interior storm windows instead of exterior storm windows, which will allow the view to be kept the same, but get the insulation value up. He explained that they would like to try the interior storm windows with the 8 windows that have no storm windows, and if that solution works, then they would like to use them on the remaining windows that currently have exterior storm windows, which would allow them to remove the existing exterior storm windows.

Mr. Engebretsen said the foundation of the house was built in 1897. He explained that the house was built in two different time periods on the same foundation. Mr. Engebretsen said

the metal kitchen roof is around 30 years old, is not original and is now leaking. The insulation underneath the roof will need to be added to reduce energy loss as this is the coldest room in the house. Mr. Roth asked if it was a problem to replace the roof with a standing seam roof. Mr. Engebretsen said they had some discussions on what to replace it with. He said the first intent was to replace the kitchen roof with a like kind material/metal roof. Then there was discussion on some other options and they researched raised seam/standing seam roofs that have a two-inch seam and are made for shallow roofs. He said those are expensive and his quotes came in around \$15,000 for a 20x30 foot roof. Mr. Engebretsen said the roof can't been seen standing on the ground, is on the back of the house and can only be seen from the air. He said they are still willing to install the raised two-inch standing seam roof.

Mr. Enebretsen spoke to the previous owners and learned that the cistern is a 20,000-gallon brick lined hole and is located next to the foundation of the house. He said that needs to be filled in. Ms. Tennor asked that if it will be made structurally sound when it is filled in. Mr. Engebretsen said it will be sound when filled in and there is currently standing water in there.

Ms. Zoren said she was glad to hear he is looking into interior storm windows because different window pane configurations are a unique characteristic of the house that should not be covered up. Mr. Engebretsen agreed that the windows are a great feature of the house and said the older windows have draft issues. Ms. Zoren said the draft issue stems from the weather stripping and the wall around the windows that can be fixed. The energy loss is not due so much through the single glass pane.

Ms. Engebretsen said the issue with the floor to ceiling porch window is that they open up as a door. The door jamb is on the outside of the house, making it impossible to install an interior storm window without altering the original interior framework. Ms. Engebretsen plans

to install interior storm windows on the exterior of the house to see if that will work. She said they have been trying to figure out a solution for these doors.

Mr. Reich said there is a custom storm window product called “Indow Windows” made of plexiglass panel with flexible edges that snap into place. Mr. Engebretsen said that is the product they plan to use.

Ms. Zoren confirmed with the Applicant that they will be using the standing seam metal roof on the kitchen roof since there are not many other options due to the shallow pitch Mr. Engebretsen said they will be using the standing seam.

Ms. Tennor said if there are any new issues that arise during construction, Staff should be contacted to discuss the approval process. Ms. Burgess said some in-kind repair/replacement could qualify for the Minor Alteration process that is quicker than the monthly meeting approvals.

Ms. Tennor asked the Applicant if he still intends to install the skylights on the standing seam metal roof. Mr. Engebretsen said the skylights were drawn up with a different roof material in mind. He said that he is not sure if they still want to install skylights, but understands that is at his own cost. . Mr. Roth said the Commission can approve the installation of skylights, and the Applicant can choose to put them in if they want.

Mr. Roth clarified that Item 2, the installation of the eight exterior storm windows could be interior, or exterior to include the floor to ceiling French doors. Ms. Tennor asked if the French doors would be full view panels. Ms. Engebretsen said yes that she is also working with a contractor with different options for the French doors. Mr. Roth said the Commission does not need to approve an interior storm window because it is inside the structure. Mr. Roth said the Staff recommendation should be amended to include installation of eight exterior or interior

storm windows contingent upon not covering historic window features. Mr. Engebretsen asked if the scope can be expanded to cover the remaining windows in order to remove the inappropriate storm windows that are currently installed. Ms. Holmes said that was ok to include.

F. Motion

Mr. Roth moved to approve the application per Staff recommendations with the modification of Item 2 to allow installation of eight exterior or interior storm windows contingent upon the windows not covering historic window features, as well as replacement of existing storm windows with interior or exterior storm windows contingent upon the windows not covering historic window features. Ms. Tennor seconded. The motion was unanimously approved.

Conclusions Of Law

Based upon the foregoing Findings of Fact, the Commission concludes as follows:

A. Standards of Review

The standards for review of an application for a Certificate of Approval are set forth in Section 16.607 of the Howard County Code and require consideration of:

- (1) The historic, architectural, or archaeological value or significance of the structure and its relationship to the historic value of the surrounding area;
- (2) The relationship of the exterior architectural features of such structure to the remainder of the structure and to the surrounding area;
- (3) The general compatibility of exterior design, scale, proportion, arrangement, texture and materials proposed to be used; and
- (4) Any other factors, including aesthetic factors, which the Commission deems to be pertinent.

Section 16.607(c) of the Code further provides:

It is the intent of this subtitle that the Commission be strict in its judgment of plans for contributing structures. It is also the intent of this subtitle that the Commission shall be lenient in its judgment of plans for structures of little historic value or plans

for new construction, except where such plans would seriously impair the historic or architectural value of surrounding structures or the surrounding area.

Section 16.607(d) authorizes the Commission to adopt guidelines for its review of applications based on the standards set forth in the Code. Pursuant to this authority, the Commission has adopted the Lawyers Hill Historic District Design Guidelines. Chapter 6 sets forth the relevant recommendations for Rehabilitation and Maintenance of Existing Buildings.

B. Application of Standards

Applying these standards and guidelines to the Subject Property, the Commission finds that it does not contribute to the historic significance of Lawyers Hill. Consequently, in reviewing the application, the Commission will be lenient in its judgment. The Commission finds that the Applicant's proposal would not impair the historic or architectural value of the surrounding area. The Commission finds that the proposal is consistent with the Guidelines. The evidence supports this conclusion.

The Applicant proposes a variety of work on a historic house. Work on the chimneys and the front door constitute Routine Maintenance because in-kind materials will be used. Similarly, the filling of the cistern, which is below ground and not visible, constitutes Routine Maintenance.

The Applicant also seeks to replace existing storm windows and install new storm windows. Pursuant to Staff recommendation, the Applicant has agreed to use either a full-lite storm window or a window that matches the design of the existing window so that the storm window does not obscure historic details. Either interior or exterior storm windows are approved subject to the preceding condition. Such storm windows are in keeping with

Guideline recommendations to not obscure historic architectural details. If exterior storm windows are used, they must be approved by Staff as to design and color.

The Applicant also seeks to replace the kitchen roof, which is currently galvanized metal. The Applicant proposes to remove the existing roof, replace the roof decking as needed and install one inch foam board, install three skylights and appropriate flashing. Originally, the Applicant sought to replace the existing roof with an in-kind metal roof, but amended the proposal during the hearing to a standing seam metal roof. The standing seam roof is more historically appropriate than the existing. Additionally, the Applicant wishes to install three skylights in the kitchen roof. The testimony shows that the roof is on the rear of the house and cannot be seen while standing on the ground because of its shallow pitch. Accordingly, the skylights are not visible and will not detract from the historic appearance of the structure.

For these reasons, and for the reasons identified in the Staff Report, the Commission concludes that the proposed work will not impair the historic and architectural value of the surrounding area. The application complies with the Guidelines and standards applicable to the Lawyers Hill Historic District.

ORDER AND CERTIFICATE OF APPROVAL

Based on the foregoing Findings of Fact and Conclusions of Law, by a vote of 5 to 0, it is this 2 day of November, 2017, **ORDERED**, that the Applicant's request for a Certificate of Approval to perform exterior alterations at the Subject Property, is **APPROVED, as amended.**

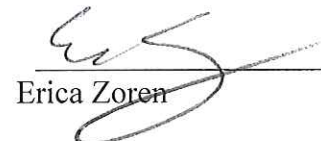
**HOWARD COUNTY HISTORIC
PRESERVATION COMMISSION**


Allan Shad, Chair


Bruno Reich


Drew Roth


Eileen Tennor


Erica Zoren

APPROVED for Form and Legal Sufficiency:

HOWARD COUNTY OFFICE OF LAW


Lewis Taylor
Assistant County Solicitor

ANY PERSON AGGRIEVED BY THIS DECISION AND ORDER/CERTIFICATE OF APPROVAL MAY APPEAL THE DECISION TO THE CIRCUIT COURT FOR HOWARD COUNTY WITHIN THIRTY DAYS OF THE DATE OF THE DECISION.

IN THE MATTER OF
THE APPLICATION OF
ANALISA ARCHER

* BEFORE THE
* HOWARD COUNTY

FOR A CERTIFICATE OF APPROVAL
FOR EXTERIOR ALTERATIONS
AT 8386 COURT AVENUE
ELLCOTT CITY, MARYLAND

* HISTORIC PRESERVATION
* COMMISSION
* Case No. 17-71

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DECISION AND ORDER

Pursuant to Title 16, Subtitle 6, of the Howard County Code, notice having been properly published, the Historic Preservation Commission (“Commission”) convened a public hearing on October 5, 2017 to hear and consider the application of Analisa Archer (“Applicant”), for a Certificate of Approval for exterior alterations at 8386 Court Avenue, Ellicott City, Maryland (the “Subject Property”). The Commission members present were Eileen Tennor, Allan Shad, Drew Roth, Bruno Reich, and Erica Zoren. The following documents, incorporated into the record by reference, are applicable to this case: (1) the appropriate provisions of the Howard County Charter and the Howard County Code, including the Howard County Zoning Regulations; (2) the General Plan for Howard County; (3) the application for a Certificate of Approval and associated records on file with the Commission; (4) the Agenda for the October 5, 2017 Commission meeting; (5) the Ellicott City Historic District Design Guidelines, May, 1998 (the “Design Guidelines” or “Guidelines”); and (6) the general design guidelines listed in Rule 107 of the Commission’s Rules of Procedure.

Summary of Testimony

Ms. Samantha Holmes, Staff to the Commission, presented the application, identifying the work proposed by the Applicant for which approval is requested, and the Staff's recommendation and the basis for the recommendation. Copies of Staff's recommendation and the application were provided to each Commission member and reviewed with the Commission by Ms. Holmes. A representative for the Applicant testified in support of the application.

Findings of Fact

Based upon the evidence, the Commission makes the following findings of fact:

A. The Subject Property

This property is located in the Ellicott City Historic District. According to SDAT the house dates to 1870.

B. Proposed Improvements

The Applicant seeks approval for the following alterations:

- 1) Install additional white picket fencing and gate on the southwest side of the house behind the driveway.
- 2) Install a metal gate on east side of house.
- 3) Install a wooden shed in rear yard in the northwest corner.
- 4) Construct an addition on the southwest side of the house.

Fence and Gates

The picket fence and gate will be located behind the driveway and will connect from the house to the existing fence on the side yard, enclosing the yard. The same style of wood picket fence, painted white, will be used.

On the other side of the house the Applicant proposes to add a 3-foot-tall wrought iron gate in a black matte finish. The gate will be 37 inches from post to post. The application explains that while no gate currently exists, a post hole and wrought iron anchor are visible from a possible previous gate.

Shed

The Applicant proposes to install a shed, which will be located in the northeast corner of the yard. The proposed shed will be a wood shed, painted to match the existing color scheme of the house: blue siding, white trim, black doors and charcoal asphalt shingles. The shed will sit on a treated wood foundation.

Building Addition

The proposed addition will be a two-story addition and will be 6 feet 2 inches deep by 10 feet wide. The addition will be located on the southwest side of the home, which is the left side of the house if looking at the front of the house.

The application states that all existing windows will be preserved, and the shutters will be removed from the two existing side windows on either side of the addition, so that there are no windows with half shutters.

Addition Windows and Doors

The application states that the new windows on the addition will be wood Jeld-Wen 2:2 windows to match those used in the rest of the house. The windows will have a 7/8" simulated divided light. There will be 7 windows on the addition. The new door on the addition is proposed to be a metal full light Therma-Tru door.

Addition Foundation, Siding and Roof

The proposed foundation for the addition is Glen-Gerry brick in the color Gunston. The application also states that the owner is open to facing the foundation with a rough block to match the look of the existing historic house.

The proposed siding on the addition is GAF fiber cement shingles, to match the asbestos siding on the house.

The proposed roof material on the addition is CertainTeed Landmark fiberglass shingles in the color Cobblestone Gray. The application states that the Applicant is also open to matching the metal roof on the historic house.

C. Staff Report

Fence and Gate

The continuation of the existing white wood picket fence and gate, and the addition of the wrought iron gate complies with Chapter 9.D of the Guidelines, “construct new site features using materials compatible with the setting and with nearby historic structures, particularly for features visible from a public way” and “install open fencing, generally not more than five feet high, of wood or dark metal.”

Shed

The proposed wooden shed, painted to match the colors on the existing building and located in a corner of the back yard, complies with Chapter 7.C recommendations, “if allowed by the size and shape of the property, place new outbuildings to the side or rear of the main building, separated from the main building by a substantial setback” and “design outbuildings visible from a public way to be compatible in scale, form and detailing with historic structures

and outbuildings in the neighborhood.” The existing house has a cross gable roof, and the shed mimics this pattern with a front gable roof.

New Addition

The proposed addition is being shown located in the 100-year floodplain. Staff has recommended the Applicant meet with the Department of Inspections, Licenses and Permits (DILP) to determine if this addition can be built in the floodplain or if alterations to the design will need to be made, prior to submitting an application to the Commission. Plan reviewers in DILP have told Staff that based on the GIS mapping of the floodplain, the proposed addition cannot be constructed. There could be discrepancies in the exact location of the mapped floodplain, but the owner would need to obtain a flood elevation certificate in order to dispute this. Therefore, Staff finds the addition should not be evaluated until it can be proven that the addition is allowed to be constructed.

Addition Scale and Location

Overall the addition appears to comply with Chapter 7 recommendations, “design and fit additions to avoid damaging or obscuring key architectural features of a historic building” and “attach additions to the side or rear of a historic building to avoid altering the primary façade. Consider the impact of the addition on the side, rear and rooftop views of the building from public ways.” This addition will be highly visible from the public way. Various views of the addition were submitted from the side, which is the most visible side. However, a rendering was not provided showing what the addition will look like when looking at the front façade of the building and Staff finds this rendering should be provided.

Addition Foundation, Siding and Roof

Foundation - The rendering shows the new brick foundation as a red color, but the spec sheet indicates it will contain more brown tones. The proposed brick looks reminiscent of 1980s construction and is not an appropriate choice for this addition. The foundation line is shown hitting the lintel of the window and historically would not be that high. Staff recommends the foundation line be lowered to an appropriate area, as determined by the Commission. The existing granite foundation was painted without approval by the previous owner and the paint should be removed to highlight the granite foundation. The addition would look more appropriate with a granite foundation to match the historic house. However, if new granite cannot be identified to blend with the historic granite foundation, then a painted rough block foundation may be appropriate as well.

Siding - A spec sheet was not provided for the siding, but the application states the GAF fiber cement shingles will match the asbestos shingles on the building, so the GAF product is most likely the GAF Weatherside Purity Wavy. While the use of this siding will match the existing siding, the existing siding is not historically appropriate and the Guidelines recommend its removal when possible. While repairing the existing asbestos siding with this product would be acceptable, the proposed use of it on a new addition should be avoided. If the asbestos siding was ever to be removed from the historic house in the future and the wood siding restored or replaced, this addition would also need to be altered, so it should be built with appropriate siding from the start.

Chapter 7 of the Guidelines recommends, “design additions in a manner that makes clear what is historic and what is new. Additions may be contemporary in design or may reference design motifs from the historic building, but should not directly imitate the historic

building.” Chapter 7.B also recommends “on any building, use exterior materials and colors (including roof, walls and foundations) similar to or compatible with the texture and color of those on the existing building. Avoid exact replication that would make an addition appear to be an original part of a historic building.” While the first Guideline provided is not strictly about materials, but about style as well, these two Guidelines are in partial conflict when applied to this application, because the historic building has a non-historic siding material. Chapter 6.D recommends, “remove asbestos shingles, aluminum siding or other coverings from historic buildings and repair or restore the original wall material” and recommends against, “using vinyl, artificial stone, artificial brick or other substitute materials on historic buildings or additions to historic buildings, or on non-historic buildings in locations visible from a public way.” Based on these Guidelines, which recommend against using substitute materials and recommend asbestos shingle removal from existing historic buildings, Staff recommends an alternate siding material be identified for use on the addition.

Roof - The Applicant proposes to use fiberglass shingles on the new shed style roof, but has also stated they are open to using a standing seam metal roof to match the existing house. Chapter 7 of the Guidelines recommends, “...use a roof design that echoes or complements the original roof line. Gable and shed roofs are common for additions in Ellicott City.” The proposed shed roof on the addition complies with the Guidelines. However, the roof connection between the existing structure and the new addition is unclear from the renderings submitted, but it appears the new shed style roof may tie into the existing roof. Regarding materials, the Guidelines recommend “on any building, use exterior materials and colors similar to or compatible with the texture and color of those on the existing building.” The proposed asphalt roof is not similar in color or texture with the existing white metal roof.

Without having a full understanding of how the old and new roof will connect and, based on the recommendations for materials, Staff recommends the standing seam metal roof be used on the addition.

Addition Windows and Doors

The renderings of the proposed addition show that a new door would line up with the middle of an existing window on the basement level. It appears that grading may be needed to lower the foundation of the addition in order for a new full height door to hit the side window at that height. Also the existing second story window on the left side of the addition is a double hung window, but appears to be a smaller window in the proposed renderings, so Staff needs clarification if this item is proposed to be altered or if the renderings are not to scale.

The design of the new windows complies with Chapter 7 recommendations, “design windows to be similar in size, proportion and arrangement to the existing windows. On historic buildings, or any building visible from a public way, windows should have true divided lights rather than interior or sandwiched muntins. A possible alternative is windows that do not have divided lights, but have permanent exterior grilles, appropriately detailed to be compatible with historic wood windows.” The proposed windows have will have an external simulated divided light. When the house was being renovated by the previous owner, the Commission approved the in-kind replacement of wood windows in the house, which were true divided light historic windows. The current application for the addition states the new windows will match those used on the rest of the house, which were supposed to be in-kind replacement, true divided light 2:2 wood windows, but may in fact be a simulated divided light.

The proposed door is a metal door, which typically is not approved for use on highly visible facades. However, the style of the full view door is appropriate. Chapter 7 recommends, “use doors and simple entrance designs that are compatible with those on the existing building or similar buildings nearby.” The existing building has a wood door with a half light over 1 panel and the full view door will complement the style of the historic door by being simpler in design. However, the material should be wood, which better complies with Chapter 7 recommendations to “use exterior materials similar to or compatible with the texture and color of those on the existing building.” A metal door does not have the same texture as a wood door.

D. Staff Recommendation

Staff recommends:

- 1) Approval of the picket fence extension and gate.
- 2) Approval of the black wrought iron gate installation.
- 3) Approval of the installation of the shed as proposed.
- 4) Approval of the addition as proposed with the following contingencies:
 - a. A granite stone be used on the foundation. If an appropriate granite spec cannot be found then a painted rough cast block foundation be used on the addition and the paint be removed from the historic granite foundation of the main house.
 - b. The foundation line be lowered to be more historically appropriate.
 - c. A more appropriate siding material be identified and presented to the Commission for approval.
 - d. A standing seam metal roof be used.

- e. A wood door be used in place of metal.

Staff recommends that any items left by the Commission to Staff approval, or any items that need to return to the Commission for approval, are not approved until the Applicant has submitted evidence to HPC Staff that the Department of Inspections, Licenses and Permits has stated the addition can be constructed as presented herein to the Commission.

E. Testimony

Ms. Holmes updated the Commission that the Applicant has withdrawn the building addition due to the floodplain issues and that the only items for approval before the Commission are the picket fence and gate, iron gate and shed. Mr. Taylor confirmed that everything listed in Item #4 from the Staff Report was being withdrawn by the Applicant at this time. Ms. Holmes said that was correct. Mr. Shad swore in Analisa Archer and David Archer. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Ms. Archer said they did not have any comments, but appreciate the Staff comments and will take them into account when they resubmit the withdrawn portion of the application.

Ms. Zoren said she agreed with Staff recommendations about the fence, gate and shed. Ms. Zoren was concerned about the proposed addition, but it is no longer an issue since the Applicant has withdrawn the addition from the application.

F. Motion

Ms. Tennor moved to approve the application as submitted for the picket fence extension and gate; the black wrought iron gate installation and shed installation, with the exception of item 4 concerning the addition. Mr. Reich seconded. The motion was unanimously approved.

Conclusions Of Law

Based upon the foregoing Findings of Fact, the Commission concludes as follows:

A. Standards of Review

The standards for review of an application for a Certificate of Approval are set forth in Section 16.607 of the Howard County Code and require consideration of:

- (1) The historic, architectural, or archaeological value or significance of the structure and its relationship to the historic value of the surrounding area;
- (2) The relationship of the exterior architectural features of such structure to the remainder of the structure and to the surrounding area;
- (3) The general compatibility of exterior design, scale, proportion, arrangement, texture and materials proposed to be used; and
- (4) Any other factors, including aesthetic factors, which the Commission deems to be pertinent.

Section 16.607(c) of the Code further provides:

It is the intent of this subtitle that the Commission be strict in its judgment of plans for contributing structures. It is also the intent of this subtitle that the Commission shall be lenient in its judgment of plans for structures of little historic value or plans for new construction, except where such plans would seriously impair the historic or architectural value of surrounding structures or the surrounding area.

Section 16.607(d) authorizes the Commission to adopt guidelines for its review of applications based on the standards set forth in the Code. Pursuant to this authority, the Commission has adopted the Ellicott City Historic District Design Guidelines. Chapter 9 sets forth the relevant recommendations for Landscape and Site elements. Chapter 7 sets forth the relevant recommendations for new construction, additions, porches and Outbuildings. Chapter 6 sets forth the relevant recommendations for Rehabilitation and Maintenance of Existing Buildings, as detailed in the Findings of Fact, part C.

B. Application of Standards

Applying these standards and guidelines to the Subject Property, the Commission finds that it contributes to Ellicott City's historic significance. Consequently, in reviewing

the application, the Commission will be strict in its judgment. The Commission finds that the Applicant's proposal would not impair the historic or architectural value of the surrounding area. The Commission finds that the proposal is consistent with the Guidelines. The evidence supports this conclusion.

The Applicant proposes work on a historic property including extension of a picket fence with a gate, installation of a wrought iron gate, and erection of a shed. All of the work is in accord with Guideline recommendations. The fence and gates will be constructed with historic materials and comply with Guideline recommendations to construct new site features using materials compatible with the setting and with nearby historic structures, and to use "open fencing, generally not more than five feet high, of wood or dark metal."

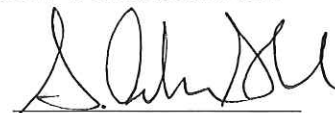
The proposed wooden shed, will be located in a corner of the back yard, which complies with Guideline recommendations to place new outbuildings to the side or rear of the main building, separated from the main building by a substantial setback. The shed will also be compatible in scale, form and detailing with historic structures and outbuildings in the neighborhood. The existing house has a cross gable roof, and the shed mimics this pattern with a front gable roof. The shed will also be painted to match the colors on the existing building.

For these reasons, and for the reasons identified in the Staff Report, and the reasons stated by the Commission, the Commission concludes that the proposed work will not impair the historic and architectural value of the surrounding area. The application complies with the Guidelines and standards applicable to the Ellicott City Historic District.

ORDER AND CERTIFICATE OF APPROVAL

Based on the foregoing Findings of Fact and Conclusions of Law, by a vote of 5 to 0, it is this 2 day of November, 2017, **ORDERED**, that the Applicant's request for a Certificate of Approval for exterior alterations at the Subject Property, is **APPROVED**, as amended to exclude the proposed addition.

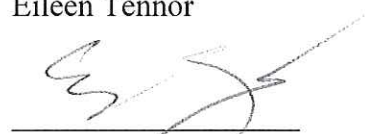
HOWARD COUNTY HISTORIC PRESERVATION COMMISSION


Allan Shad, Chair


Bruno Reich


Drew Roth


Eileen Tennor


Erica Zoren

APPROVED for Form and Legal Sufficiency:

HOWARD COUNTY OFFICE OF LAW


Lewis Taylor
Assistant County Solicitor

ANY PERSON AGGRIEVED BY THIS DECISION AND ORDER/CERTIFICATE OF APPROVAL MAY APPEAL THE DECISION TO THE CIRCUIT COURT FOR HOWARD COUNTY WITHIN THIRTY DAYS OF THE DATE OF THE DECISION.

IN THE MATTER OF
THE APPLICATION OF
ANGELINA BRANNIGAN

* BEFORE THE
* HOWARD COUNTY

FOR A CERTIFICATE OF APPROVAL
FOR EXTERIOR ALTERATIONS
AT 8141 MAIN STREET
ELLICOTT CITY, MARYLAND

* HISTORIC PRESERVATION
* COMMISSION
* Case No. 17-69

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DECISION AND ORDER

Pursuant to Title 16, Subtitle 6, of the Howard County Code, notice having been properly published, the Historic Preservation Commission (“Commission”) convened a public hearing on October 5, 2017, to hear and consider the application of Angelina Brannigan (“Applicant”), for a Certificate of Approval for exterior alterations at 8141 Main Street, Ellicott City, Maryland (the “Subject Property”). The Commission members present were Eileen Tennor, Allan Shad, Drew Roth, Bruno Reich, and Erica Zoren. The following documents, incorporated into the record by reference, are applicable to this case: (1) the appropriate provisions of the Howard County Charter and the Howard County Code, including the Howard County Zoning Regulations; (2) the General Plan for Howard County; (3) the application for a Certificate of Approval and associated records on file with the Commission; (4) the Agenda for the October 5, 2017 Commission meeting; (5) the Ellicott City Historic District Design Guidelines, May, 1998 (the “Design Guidelines” or “Guidelines”); and (6) the general design guidelines listed in Rule 107 of the Commission’s Rules of Procedure.

Summary of Testimony

Ms. Samantha Holmes, Staff to the Commission, presented the application, identifying the work proposed by the Applicant for which approval is requested, and the Staff's recommendation and the basis for the recommendation. Copies of Staff's recommendation and the application were provided to each Commission member and reviewed with the Commission by Ms. Holmes. The Applicant testified in support of the application.

Findings of Fact

Based upon the evidence, the Commission makes the following findings of fact:

A. The Subject Property

This property is located in the Ellicott City Historic District. According to SDAT the building on the property dates to 1987, and as such, is not historic.

B. Proposed Improvements

The Applicant seeks approval to hang two flags from pre-existing flag poles on the front of the building. The first flag is the Maryland flag, which will be hung on the left side of the building and the second flag is a "Welcome" flag that will be hung on the right side of the building by the entry door. The Applicant said that the flags are 38 inches x 26 inches, which is 6.86 square feet each. There is a pre-existing sign board across the top of this building, painted brown to match the trim. The Applicant does not have a sign in this location, but has two white windows signs with the business name "A Divaz Boutique" on the main storefront window and on the door.

C. Staff Report

The Guidelines provide recommendations for “Banners and Flags” under Chapter 11 for Signs. Chapter 11.B.6 explains, “Flags that identify a product or the name or function of a business are considered signs and require a Certificate of Approval from the Historic Preservation Commission.” United States or Maryland flags are not signs and, if they are temporary in nature and utilize minimal hardware, do not require a Certificate of Approval.

The hardware on this building was pre-existing and not installed by the Applicant. Due to the condition of the hardware, it has clearly been on this building for some time.

The proposed “Welcome” flag identifies a function of the business, by indicating when the business is open, and will be evaluated as a sign. The “Welcome” flag contains an illustration of flowers and uses several colors and shades: white, black, yellow, green, yellow and pink.

The window and door signs, which also need to be approved by the HPC, are white. Staff recommends the Applicant amend this application to request retroactive approval of the window and door signs, as the Commission should not be approving the current request while other items remain unapproved. The sign on the window reads on one line, “A Divaz Boutique” in a script font and white lettering. The sign on the door contains the same text, in a different font of a smaller size, and contains a small graphic above and below the text. The text is white on the door as well. The signs comply with Chapter 11 recommendations, “use simple, legible words and graphics” and “keep letters to a minimum and the message brief and to the point” and “use a minimum number of colors, generally no more than three.” The signs contain different fonts, which does not comply with Chapter 11.B recommendations, “if more than one sign is used to identify a building’s tenants, use signs that are similar in scale,

harmonious in style and color and located symmetrically or uniformly on the building.” The Guidelines also recommend against, “two signs where one is sufficient to provide an easily visible identification of the business” and no more than “two signs per business per façade.” Given that the “Welcome” flag is being treated as a sign, the sign from the door should be removed, as the flag is located next to the door and will be sufficient to guide traffic to the door of the business. If the door sign is removed, then the building will only contain two signs. The exact size of the window decal sign is unknown at this time, but the window sign fits across the width of the window and the door sign is a small sign in the middle of the door. Most likely the signs comply with Chapter 11.B recommendations, “in most cases, limit the area of signage to one-half square foot of sign area for each linear foot of primary street frontage, with a limit of eight square feet in area for any one sign.”

Chapter 11.A of the Guidelines recommends that signs, “In many cases, symbols or illustrations that communicate the nature of the business can be used.” Chapter 11.A also recommends, “use a minimum number of colors, generally no more than three.” The existing “Welcome” flag does keep the message brief and to the point, but the illustration of flowers on the sign does not directly relate to the business and contains more colors than recommended. Staff understands the Applicant’s desire to have the existing “Welcome” flag, which is only displayed while the business is open. However, due to the possibility that other buildings on the street would also want to display a “welcome” or “open” sign, Staff recommends these types of signs be smaller than the Maryland or United States flag, and that a standard be developed for the town. Chapter 11.B of the Guidelines recommends “projecting or hanging signs of four to six square feet are appropriate for many of Ellicott City’s small, attached, commercial buildings.” Given that the “Welcome” flag is a secondary sign that

should be subordinate to the main business sign and the Maryland flag, Staff recommends the “Welcome” flag be no larger than 4 square feet and be limited to two colors to comply with the Guidelines.

There is an unused black metal bracket on this building, which should be removed, since it is not in use and adds to visual clutter on the front façade.

D. Staff Recommendation

Staff recommends against approving the existing “Welcome” flag. Staff recommends Approval of an “Open” or “Welcome” flag of a different design, to be reduced in size to be smaller than the Maryland flag, around 4 square feet, and limited to two colors. Staff recommends this be approved by Staff or through the Minor Alterations process before being hung. If a standard welcome or open sign is identified for use in town, Staff recommends the flag be replaced at that time with the new standard.

Staff recommends retroactive approval of the window sign. Staff recommends the door sign be removed.

E. Testimony

Mr. Shad swore in Angelina Brannigan. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Ms. Brannigan said the flags are hung high on pre-existing flagpoles, not obstructing views. The flags were installed to enhance the appearance of Main Street and Ms. Brannigan was not aware the flags required approval. Ms. Brannigan said she thought the contractors she hired to install the “Divaz Boutique” store sign filed the required paperwork for approval but Ms. Brannigan is happy to submit the required documentation for approval. Ms. Brannigan is open to the Commission’s recommendations about the appropriate sign usage.

Mr. Reich asked if the Guidelines only allow a maximum of two signs per business. Mr. Taylor said the welcome flag is described in the Guidelines as a sign. Ms. Brannigan said the welcome flag was displayed last spring and the flags change according to seasons. The current flag features pumpkins for the fall and the flag is removed every evening, only the Maryland flag on the other side of the entrance is displayed at all times.

Mr. Reich asked if sandwich signs are permitted on Main Street. Ms. Holmes said sandwich signs are not permitted per the Sign Code. Mr. Reich asked about the racks and other merchandise displayed on at other storefronts. Ms. Holmes said Staff is working to address those issues.

Ms. Tennor said she understands the Applicant's desire to have symmetry on the building by hanging a flag on each side. Ms. Tennor asked if the Commission allowed Ms. Brannigan to use the two flags, could she remove the vinyl decal sign on the entrance door. Ms. Brannigan said yes, she can remove the vinyl sign on the door. Currently, there is also an open/close sign hanging inside the door to encourage shoppers to come in since the front stays closed during business hours to keep the shop clean from road construction debris.

Ms. Tennor asked about the color constraints on the flag. Ms. Brannigan said the welcome flag colors were neutral but the current flag has seasonal fall colors like orange and brown.

Mr. Reich said the Applicant can remove the vinyl sign on the door and work with staff for the flag colors and design to be in compliance with the Guidelines.

F. Motion

Mr. Reich moved to approve the application with the amendment to include the sign on the main storefront window but the vinyl sign on the door to be removed. The Applicant

can work with Staff for suitable flag colors. Ms. Tennor seconded. The motion was unanimously approved.

Conclusions Of Law

Based upon the foregoing Findings of Fact, the Commission concludes as follows:

A. Standards of Review

The standards for review of an application for a Certificate of Approval are set forth in Section 16.607 of the Howard County Code and require consideration of:

- (1) The historic, architectural, or archaeological value or significance of the structure and its relationship to the historic value of the surrounding area;
- (2) The relationship of the exterior architectural features of such structure to the remainder of the structure and to the surrounding area;
- (3) The general compatibility of exterior design, scale, proportion, arrangement, texture and materials proposed to be used; and
- (4) Any other factors, including aesthetic factors, which the Commission deems to be pertinent.

Section 16.607(c) of the Code further provides:

It is the intent of this subtitle that the Commission be strict in its judgment of plans for contributing structures. It is also the intent of this subtitle that the Commission shall be lenient in its judgment of plans for structures of little historic value or plans for new construction, except where such plans would seriously impair the historic or architectural value of surrounding structures or the surrounding area.

Section 16.607(d) authorizes the Commission to adopt guidelines for its review of applications based on the standards set forth in the Code. Pursuant to this authority, the Commission has adopted the Ellicott City Historic District Design Guidelines. Chapter 11 sets forth the relevant recommendations for Signs, as detailed in the Findings of Fact, part C.

B. Application of Standards

Applying these standards and guidelines to the Subject Property, the Commission finds that it does not contribute to Ellicott City's historic significance. Consequently, in

reviewing the application, the Commission will be lenient in its judgment. The Commission finds that the Applicant's proposal would not impair the historic or architectural value of the surrounding area. The Commission finds that the proposal is consistent with the Guidelines. The evidence supports this conclusion.

The Applicant seeks approval for two flags and a window sign. One of the flags is the Maryland State flag, which the Guidelines identify as a flag that does not require Commission approval if it is an appropriate scale, uses minimal hardware and is temporary in nature. Chapter 11.B.6. The other flag is a seasonal "Welcome" flag, or banner, that does require Commission approval as it is considered a sign. In addition to the flags, the Applicant seeks retroactive approval of a vinyl window sign that states the name of the business on the storefront window, contingent on removal of a similar sign on the front door of the store.

The vinyl window sign meets Guideline recommendations to use simple, legible words and keep letters to a minimum and the message brief and to the point. The sign utilizes one color and simply displays the name of the business. It is also a proper scale for the storefront.

The "Welcome" flag raises other issues. The flag is changed on a seasonal basis, but the Applicant essentially seeks approval for the permanent display of a "Welcome" flag of some sort. The proposed flag is of an appropriate size when considered as a projecting sign, which is the type of sign it most closely resembles. The Guidelines recommend against two signs where one will do, but also indicate that up to two signs may be appropriate in certain instances. Chapter 11.B.6. Here, the Applicant seeks approval for one projecting sign and one window sign. The window sign has a minimal effect on the general appearance of the streetscape, compared to the projecting sign. The window sign is also minimalistic in its design using only one color and minimal text. Given that this is a modern building with a

recessed front entrance, which is generally kept closed, the flag, which does not state the name of the business, is an appropriate sign to indicate that the business is open. Thus, both signs are appropriate for this property. However, because the Applicant proposes using a seasonal welcome flag, the Commission delegates to Staff approval of the actual flag design to ensure that it meets Guideline recommendations concerning the use of color, compatibility with neighboring structures, and other relevant recommendations.

For these reasons, and for the reasons identified in the Staff Report, and the reasons stated by the Commission, the Commission concludes that the proposed work will not impair the historic and architectural value of the surrounding area. The application complies with the Guidelines and standards applicable to the Ellicott City Historic District.

ANY PERSON AGGRIEVED BY THIS DECISION AND ORDER/CERTIFICATE OF APPROVAL MAY APPEAL THE DECISION TO THE CIRCUIT COURT FOR HOWARD COUNTY WITHIN THIRTY DAYS OF THE DATE OF THE DECISION.

ORDER AND CERTIFICATE OF APPROVAL

Based on the foregoing Findings of Fact and Conclusions of Law, by a vote of 5 to 0, it is this 2 day of November, 2017, **ORDERED**, that the Applicant's request for a Certificate of Approval for the existing window sign is APPROVED contingent on removal of the existing door sign and the Welcome flags are APPROVED subject to Staff approval of specific designs as specified herein.

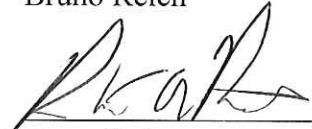
**HOWARD COUNTY HISTORIC
PRESERVATION COMMISSION**



Allan Shad, Chair



Bruno Reich



Drew Roth




Eileen Tennor



Erica Zoren

APPROVED for Form and Legal Sufficiency:

HOWARD COUNTY OFFICE OF LAW



Lewis Taylor
Assistant County Solicitor